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on May 24, 2010

PATENT
Docket No.: 026503-005010US

TOWNSEND and TOWNSEND and CREW LLP

By: _____


Jessie M. Kelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John W. Patterson et al.

Patent No.: 7,662,849 B2

Issued: February 16, 2010

Application No.: 10/559,405

§ 371 acceptance date: June 26, 2006

For: AMIDINO COMPOUNDS AS
CYSTEINE PROTEASE INHIBITORS

Customer No.: 20350

Confirmation No.: 7243

Examiner: Celia C. Chang

Art Unit: 1625

RESPONSE TO THE DECISION ON
REQUEST FOR RECALCULATION OF
PATENT TERM ADJUSTMENT IN
VIEW OF WYETH AND NOTICE OF
INTENT TO ISSUE CERTIFICATE OF
CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Further to the Decision to Request for Recalculation of Patent Term Adjustment in view of Wyeth and Notice of Intent to issue Certificate of Correction mailed on April 12, 2010, we are resubmitting the Request for Reconsideration of Patent Term Adjustment Determination Under 37 C.F.R. § 1.705(d) for the following reasons:

The initial request for Reconsideration of Patent Term Adjustment Determination Under 37 CFR § 1.705(d) filed on April 12, 2010, was concurrently filed with the Certificate of Correction. We filed a Certificate of Correction because there are errors in the Letters Patent; one of them being the omission of the claim to the U.S. Provisional Patent Application.

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It is our understanding that in order for the PTO to accurately calculate an applications Patent Term Adjustment, that PALM needs to be updated. We believe that PALM does not reflect the Provisional Date; therefore, the Patent Term Adjustment amount reflected in the Decision mailed April 23, 2010 is not accurate. Please reconsider this *second* request for Reconsideration of Patent Term Adjustment Under 37 CFR § 1.705(d) and grant the Applicants the correct patent term adjustment amount of 800 days.

Respectfully submitted,



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